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July 26, 2011

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, SW
Washington, DC 20024

FILING FEE WAIVER

ENTERED
Office of Proceedings

AUG 3 - 2011

Part of
Public Record

RE: Union Pacific Railroad Company
Abandonment of St. Charles, IL Lead
STB Docket No. AB-33 (Sub-No. 284X)
Petition for Public Use Condition and Interim Trail Use

Dear Chief Brown:

On July 9, 2010, the City of St. Charles, IL, the County of Kane, Forest Preserve District of Kane County, and the St. Charles Park District (collectively, the "Local Agencies") jointly filed a request for Public Use Condition and a request for Interim Trail Use Condition (NITU) for approximately 3.17 miles of railroad between milepost 35.13 and milepost 38.3 near St. Charles, IL. By order dated September 21, 2010, the Board granted the request to implement interim trail use and to permit public use negotiations as specifically set forth in the order, for a period of 180 days commencing from September 21, 2010, and ending on March 21, 2011.

Prior to March 21, 2011 the City of Charles, IL and its partners applied for an extension to continue negotiating with the Union Pacific. Thus far, we have not been able to finalize an agreement, but both parties remain interested.

The Local Agencies are continuing to compile specific information in efforts to satisfy our negotiating needs, and have been in direct contact with Union Pacific; however, it does not appear that the parties will be able to finalize negotiations by the end date of the order. Therefore, on behalf of the Local Agencies, the City respectfully requests the Board to grant an additional 180 day extension until March 21, 2012, or such time so indicated by the Board.

Enclosed please find the original and ten (10) copies of this letter. Also, it is my understanding that the filing fee of \$450.00 is waived for Government Agencies requesting extension of NITU negotiations as to STB Docket No. AB-33 (Sub-No. 284X) Union Pacific Railroad Company. Please time and date stamp a copy of this letter and return it with the self-addressed stamped envelope.

DONALD P. DeWITTE Mayor
BRIAN TOWNSEND City Administrator

We are also sending a copy to Union Pacific Railroad Company, by US Mail, postage prepaid, first class on the 26th day of July, 2011.

Thank you for your consideration of this request. If you have any questions, please contact Mark Koenen (630-377-4486) of the City of St. Charles, acting as lead agency.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald P. DeWitte", with a long horizontal flourish extending to the right.

Donald P. DeWitte, Mayor
On behalf of the City of St. Charles

Cc: John Hoscheit, President
Kane County Forest Preserve District
1996 S. Kirk Road
Geneva, IL 60134

Karen McConnaughay, Board Chairman
Kane County
612 W. State Street
Geneva, IL 60134

James F. Cooke, Park Board President
St. Charles Park District
101 S. Second Street
St. Charles, IL 60174